S/N: 09/841,843

Reply to Office Action of May 19, 2004

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-11. (Canceled)

- 12. (Currently Amended) A method for recombinase mediated expression cassette exchange (RMCE) for substituting a positive-negative selectable marker by an incoming DNA in the genome of cells or parts of cells comprising the steps of
 - a) integrating into a chromosomal locus of the genome of said cells a first DNA expression cassette carrying a positive-negative selection marker flanked by a wild type FLP-recombinase recognition target (FRT) site on one end and a modified heterospecific FRT site on the other end, wherein said modified heterospecific FRT site is an F₃ spacer mutant,
 - b) selecting cell clones surviving the conditions for positive selection,
 - c) exchanging said first DNA expression cassette against an incoming second DNA expression cassette located on a circular vector and carrying a homologous or heterologus gene (transgene) of any coding sequence flanked by the same FRT sites as said first DNA expression cassette mediated by the action of FLP-recombinase, wherein said cells are vertebrate embryonic stem cells (ES) and said parts of cells are nuclei of vertebrate cells, which can be inserted into ES cells, and wherein
 - d) maintaining the conditions for positive selection during cultivation of said cells obtained in step b) for a time sufficient to exchange said first DNA expression cassette against said incoming second DNA expression cassette,
 - e) using in step c) an incoming second DNA expression cassette which is marker-free, and

S/N: 09/841,843 Atty Dkt No. BOET 0130 PUS

Reply to Office Action of May 19, 2004

f) selecting cell clones obtained after step c) surviving the conditions for negative selection,

- g) wherein said positive and negative selection conditions result in recombination frequencies of at least 25%.
- 13. (New) The method of claim 12, wherein said positive-negative selection marker is a hygromycin-B-phosphotransferase and HSV-thymidine kinase encoding (hygtk) fusion gene.
- 14. (New) The method of claim 1, wherein said vertebrate embryonic stem cells are mouse embryonic stem cells.
- 15. (New) Regenerative vertebrate cells comprising a modified genome obtainable by the method of claim 12.
- 16. (New) Nuclei of vertebrate cells comprising a modified genome obtainable by the method of claim 12.
 - 17. (New) Regenerative vertebrate cells containing a nucleus of claim 16.
- 18. (New) A method for generation of transgenic mice comprising the step of injecting mouse ES cells comprising a modified genome obtained by the method of claim 12 into the blastocysts of said mice.